

REMARKS

Applicants thank the Examiner for examining the application. Applicants have amended the specification as described above. Applicants have also amended claims 4, as described further below, and canceled claims 18-21, as described further below. With these amendments, claims 1-17 are now pending.

Claim Rejections – 35 U.S.C. § 112 ¶2

The Examiner rejected claim 4 under 35 U.S.C. § 112, ¶ 2, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Applicants have amended claim 4 to replace the incorrect word indicator with the proper word identifier, for which there is proper antecedent basis. Thus, the rejection is overcome.

Claim Rejections – 35 U.S.C. § 101

The Examiner rejected claims 14-17 under 35 U.S.C. § 101 because the invention is directed non-statutory subject matter.

Applicants have amended the specification to clearly state to remove the language indicating that a computer-usable medium comprises carrier waves. Thus, the rejection to claims 14-17 is overcome.

The Examiner then rejected claims 18-21 under 35 U.S.C. § 101 because the invention is directed non-statutory subject matter.

Applicants have canceled claims 18-21, thus removing the rejection.

Claim Rejections – 35 U.S.C. § 102(e)

The Examiner rejected claims 1, 2, 7, and 14 under 35 U.S.C. § 102(e) as being clearly anticipated by U.S. Published Patent Application No. 2003/0221068 to Tsuji et al.

Applicants' independent claim 1 requires, among other things, providing a web page including a heartbeat page element that transmits heartbeat messages to the another server to maintain a state of the browser session at the another server.

The Examiner cites to Fig. 1 and Fig. 3 in their entireties, as well as element 326 of Fig. 3, element 402 of Fig. 4A, element 428 of Fig. 4B, and element 508 of Fig. 5, as disclosing this limitation.

The text of Tsuji et al. that describes element 326 is found in paragraph 93 and states as follows: "At step 326, notification manager 114 of application server 104 transmits or broadcasts the heartbeat message to client browser 106." The text of Tsuji et al. that describes element 402 is found in paragraph 97 and states as follows: "Referring now to FIGS. 1, 2 and 4, at step 402, application server 104 is initialized and running, with the notification manager 114 generating heartbeat messages." Tsuji et al. describes the notification manager 114 (also referred to as notification application 114) as follows in paragraph 90:

At steps 318, 320, notification manager 114 of application server 104 and notification server 110 of Sybase server 102 establish a connection. Once the connection is made, notification manager 114 of application server 104 registers with notification server 110 of Sybase server 102 for the required notifications. In one embodiment of the invention, the notifications are for dynamic types of data, such as deals with notifications for deal add, deal delete, and deal update. In other embodiments of the invention, the notifications include other data types. Some notifications include static data types, such as parties, counterparties, countries, and currencies with notification of add, delete and update of these data types.

However, at no point in either the cited text or elsewhere in the text does Tsuji et al. disclose providing a web page including a heartbeat page element that transmits heartbeat messages to the another server to maintain a state of the browser session at the another server, as required by Applicant's independent claim 1 (emphasis added). The notification manager 114 is part of the application server 104, according to Tsuji et al., which is not a web page. Thus, notification manager 114 is not an element of a web page, as required by Applicants' independent claim 1. Therefore, Tsuji et al. does not disclose this element of Applicants' independent claim 1, and thus for at least the reason given above, Applicants' independent claim 1 is allowable over Tsuji et al.

Applicants' dependent claims 2 and 7 depend from, respectively, Applicants' allowable independent claim 1. Therefore, Tsuji et al. does not disclose Applicants' dependent claims 2 and 7, and thus for at least the reason given above with regard to Applicants' allowable independent claim 1, Applicants' dependent claims 2 and 7 are themselves allowable over Tsuji et al.

Applicants' independent claim 14 includes limitations similar to those of Applicants' allowable independent claim 1. Therefore, for at least the reason given above with regards to Applicants' allowable independent claim 1, Applicants' independent claim 14 is itself allowable over Tsuji et al.

The Examiner next rejected claim 10 under 35 U.S.C. § 102(e) as being clearly anticipated by U.S. Published Patent Application No. 2004/0031058 to Reisman.

Applicants' independent claim 10 requires, among other things, providing a monitor that detects server unavailability if the state identifier is unchanged for a predetermined time.

The Examiner cited to paragraph 54, lines 5-7 of Reisman as disclosing this limitation. Those lines state as follows: "the identification of active hypermedia resources and details of how they are currently rendered (such as window sizes and locations, and scrolling state)". Nowhere does the text of Reisman, in those two lines, in any part of paragraph 54, or in any part of the text, disclose a monitor that detects server unavailability if the state identifier is unchanged for a predetermined time, as required by Applicants' independent claim 10. Therefore, Reisman does not disclose this element of Applicants' independent claim 10, and thus for at least the reason given above, Applicants' independent claim 10 is allowable over Reisman.

Claim Rejections – 35 U.S.C. § 103(a)

The Examiner rejected claims 3 and 12 under 35 U.S.C. § 103(a) as being unpatentable over Tsuji in view of by U.S. Published Patent Application No.

2004/0205514 to Sommerer et al. and further in view of by U.S. Published Patent Application No. 2003/0164855 to Grant et al.

Applicants' dependent claim 3 depends from, respectively, Applicants' allowable independent claim 1. Therefore, Tsuji et al. does not disclose Applicants' dependent claim 3, and thus for at least the reason given above with regard to Applicants' allowable independent claim 1, Applicants' dependent claim 3 is itself allowable over Tsuji et al.

Applicants' independent claim 12 requires, among other things, a server communicating a web page to a client, the web page including a monitor that detects user inactivity if the page identifier is unchanged for a predetermined time.

The Examiner cites to paragraph 99 of Grant et al. as teaching or suggesting this limitation. Paragraph 99 of Grant et al. states as follows:

When an error occurs on an end-user computer, a message is passed back to a central sever indicating the date, time, error description, error code, user details (where possible) for the error. This facilitates remote trouble shooting of the client issue. This same mechanism is also used to monitor user activity in the system, with all bubble drops and user interactions being logged centrally in a simple comma delimited file that can be queried or reported on as required. The central tracking mechanism preferably uses a Java servlet at the server side, with the data transfer being disguised as a parameterized HTTP request intercepted by the servlet.

Though Grant et al. does teach monitoring user activity, and though Grant et al. does suggest monitoring user inactivity (by querying the log file), the mechanism Grant et al. teaches to accomplish either of these tasks involves logging user interactions and bubble drops. Nowhere does the cited text of Grant et al. teach or suggest a monitor that detects user inactivity if a page identifier is unchanged for a predetermined time (emphasis added), as required by Applicants' independent claim 12. Indeed, the term "page identifier" does not appear anywhere in the text of Grant et al.

Grant et al. thus does not teach or suggest a server communicating a web page to a client, the web page including a monitor that detects user inactivity if the page identifier is unchanged for a predetermined time, as required by Applicants' independent claim 12, and thus Grant et al. does not teach or suggest Applicants' independent claim

12. Thus, Applicants' independent claim 12 is allowable over Grant et al. and is further allowable over the combination of Tsuji et al. with Sommerer et al. and Grant et al.

The Examiner next rejected claims 4, 5, 8, 11, 13, 15, and 17 under 35 U.S.C. § 103(a) as being unpatentable over Tsuji in view of Reisman.

Applicants' dependent claims 4 and 5 depend from, respectively, Applicants' allowable independent claim 1. Therefore, Tsuji et al. does not disclose Applicants' dependent claims 4 and 5, and thus for at least the reason given above with regard to Applicants' allowable independent claim 1, Applicants' dependent claims 4 and 5 are themselves allowable over Tsuji et al. and the combination of Tsuji et al. with Reisman.

Applicants' independent claim 8 includes limitations similar to those of Applicants' allowable independent claim 1. Therefore, for at least the reason given above with regards to Applicants' allowable independent claim 1, Applicants' independent claim 8 is itself allowable over Tsuji et al., and is further allowable over Tsuji et al. in combination with Reisman.

Applicants' independent claim 11 includes limitations similar to those of Applicants' allowable independent claim 1. Therefore, for at least the reason given above with regards to Applicants' allowable independent claim 1, Applicants' independent claim 11 is itself allowable over Tsuji et al., and is further allowable over Tsuji et al. in combination with Reisman.

Applicants' independent claim 13 includes limitations similar to those of Applicants' allowable independent claim 10. Therefore, for at least the reason given above with regards to Applicants' allowable independent claim 1, Applicants' independent claim 11 is itself allowable over Reisman, and is further allowable over Tsuji et al. in combination with Reisman.

Applicants' independent claim 15 includes limitations similar to those of Applicants' allowable independent claim 8. Therefore, for at least the reason given above with regards to Applicants' allowable independent claim 8, Applicants' independent claim 15 is itself allowable over Tsuji et al., and is further allowable over Tsuji et al. in combination with Reisman.

Applicants' independent claim 17 includes limitations similar to those of Applicants' allowable independent claim 13. Therefore, for at least the reason given above with regards to Applicants' allowable independent claim 13, Applicants' independent claim 17 is itself allowable over Tsuji et al., and is further allowable over Tsuji et al. in combination with Reisman.

The Examiner next rejected claim 6 under 35 U.S.C. § 103(a) as being unpatentable over Tsuji in view of U.S. Published Patent Application No. 2003/0182402 to Goodman et al. and further in view of Reisman.

Applicants' dependent claim 6 depends from, respectively, Applicants' allowable independent claim 1. Therefore, Tsuji et al. does not disclose Applicants' dependent claim 6, and thus for at least the reason given above with regard to Applicants' allowable independent claim 1, Applicants' dependent claim 6 is itself allowable over Tsuji et al.

The Examiner then rejected claims 9 and 16 under 35 U.S.C. § 103(a) as being unpatentable over Sommerer et al. in view of Grant et al.

Applicants' independent claim 9 includes limitations similar to those of Applicants' allowable independent claim 12. Therefore, for at least the reason given above with regards to Applicants' allowable independent claim 12, Applicants' independent claim 9 is itself allowable over Grant et al., and is further allowable over Sommerer et al. in combination with Grant et al.

Applicants' independent claim 16 includes limitations similar to those of Applicants' allowable independent claim 12. Therefore, for at least the reason given above with regards to Applicants' allowable independent claim 12, Applicants' independent claim 16 is itself allowable over Grant et al., and is further allowable over Sommerer et al. in combination with Grant et al.

CONCLUSION

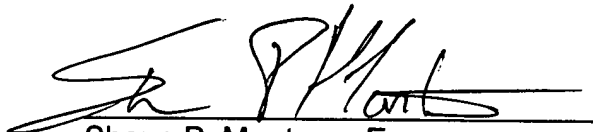
Applicants believe this Amendment and Response to be fully responsive to the present Office Action. Thus, based on the foregoing Remarks, Applicants respectfully submit that this application is in condition for allowance. Accordingly, Applicants request allowance of the application.

Applicants hereby petition for any extension of time required to maintain the pendency of this case. If there is any fee occasioned by this response that is not paid, please charge any deficiency to Deposit Account No. 50-3735.

Should the enclosed papers or fees be considered incomplete, Applicants respectfully request that the Patent Office contact the undersigned collect at the telephone number provided below.

Applicants invite the Examiner to contact the Applicants' undersigned Attorney if any issues are deemed to remain prior to allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Shaun P. Montana', is written over a horizontal line.

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